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**Hearing Date: June 21, 2011 at 10:00 a.m.**

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	:	Chapter 11
	:	
Delphi Corporation, et al.	:	Case No. 05-44481
	:	(Jointly Administered)
Debtors	:	Judge Robert D. Drain
	:	Adv. Pro. No. 07-02416
	:	
Delphi Corporation, et al.,	:	
	:	
Plaintiff,	:	
vs.	:	
	:	
Merrill Tool & Machine,	:	
	:	
Defendant.	:	
	:	

**JOINDER OF MERRILL TOOL AND MACHINE TO SUR-REPLIES IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT**

Merrill Tool and Machine ("Merrill" or "Defendant"), by its undersigned attorneys, hereby joins, adapts and incorporates by reference the arguments set forth and exhibits annexed to the (i) Sur-Reply of Johnson Controls, Johnson Controls Battery Group and Johnson Controls, Inc., in Further Opposition to Plaintiff's Motion for Leave to File a First Amended Complaint, dated June 13, 2011 (Case N. 05-44481, Docket No. 21312); (ii) Methode Electronics, Inc.'s Sur-Reply in Support of its Objection to the Reorganized Debtors' Motion for Leave to File Amended Complaints dated June 14, 2011 (Case No. 05-44481, Docket No. 21319); (iii) Sur-Reply of Victory Packaging LP in Further Support of its Brief in Opposition to the Reorganized Debtors' Motion for Leave to File Amended Complaints, dated June 14, 2011 (Case No. 05-44481, Docket No. 21326); and (iv) Sur-Reply of The Timken Company and The

Timken Corporation in Further Opposition to Reorganized Debtors' Motion for Leave to File Amended Complaints, dated June 14, 2011 (Case No. 05-44481, Docket No. 21329; and (v) any other subsequently filed Sur-reply brief.

The facts set forth in the above-referenced Sur-Replies are substantially the same with respect to Merrill so that any relief granted for the benefit of one or the other of the objecting preference defendants should be granted for all and others who are similarly situated.

Dated: June 17, 2011

BRAUN KENDRICK FINKBEINER, PLC

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